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1953 Department

[illegible]ERIES.

G.O. No. 2198

Dated 29-7-53

[Despatch Abstract.]

REVENUE DEPARTMENT

G.O. No. 2198, 29th July 1953

Public Services—Madras Sales Tax Appellate Tribunal—Non-Gazetted staff—*Ad hoc* rules—Issu

READ—the following papers:—

Letter from the Secretary, Madras Sales Tax Appellate Tribunal, Ref. No. A-2-1481/51-1, dated 11th November 1951.

Letter from the Madras Sales Tax Appellate Tribunal, Ref. No. A-2-1481/51-8, dated 12th March 1953.

Order—No. 2198, Revenue, dated 29th July 1953.

The Government agree that the "State Government" may be the appellate authority in respect of the orders passed by the Chairman of the Tribunal.

2. A member of a service who is a full member or an approved probationer in that service can alone be recruited by transfer to another service. A probationer cannot be so recruited. There is therefore no question of appointing to any post in the office of the Tribunal which is included in any service a person who is a probationer in any other service or of allowing him to count his period of service in that post towards his probation in the post in which he is a probationer. The provisions made by the Tribunal in this regard in the draft *ad hoc* rules have accordingly been omitted.

3. The draft *ad hoc* rules submitted by the Tribunal are approved by the Government as amended with reference to the remarks in paragraph 2 above and are annexed to this order.

4. The notification annexed to this order will be published in the *Fort St. George Gazette*.

(By order of the Governor)

S. K. CHETTUR,
Secretary to Government.

To the Chairman, Madras Sales Tax Appellate Tribunal, Mylapore, Madras.
To the Superintendent, Government Press, for publication of the notification (paragraph 4 of the order and the notification only).
To the Board of Revenue (C.T).

NNEXURE.

NOTIFICATION.

RULES RELATING TO THE NON-GAZETTED STAFF OF THE MADRAS SALES TAX APPELLATE TRIBUNAL.

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Madras hereby makes the following *ad hoc* rules to regulate the conditions of service of the holders of certain posts in the office of the Madras Sales Tax Appellate Tribunal:—

MADRAS COMMERCIAL TAXES SUBORDINATE SERVICE.

The rules hereby made shall be deemed to have come into force on the 8th August 1951.

RULES.

1. The general and special rules applicable to the holders of permanent posts of Deputy Commercial Tax Officers in category 1 of the Madras Commercial Taxes Subordinate Service shall apply to the holder of the temporary post of Manager in the office of the Madras Sales Tax Appellate Tribunal subject to the modifications specified in the following rules.

2. The post shall constitute a temporary addition to the cadre of Deputy Commercial Tax Officers in category 1 of the Madras Commercial Taxes Subordinate Service.

3. Appointment to the post shall be made by the Chairman of the Tribunal in consultation with the Board of Revenue from among the Deputy Commercial Tax Officers or candidates in the approved list of Deputy Commercial Tax Officers prepared by the Board of Revenue under rule 3 of the Madras Commercial Taxes Subordinate Service Rules.

4. There shall be paid to the holder of the post a pay calculated in the scale of Rs. 200—10—300 per mensem.

5. Service as Manager shall count towards probation and for increment in the category of Deputy Commercial Tax Officers in the Madras Commercial Taxes Subordinate Service and also as training in assessment work for the purposes of the annexure to the special rules for the Madras Commercial Taxes Service.

6. (i) The Secretary to the Tribunal shall be the authority competent to impose on the holder of the post, the penalties of 'censure' and 'withholding of increment' and the Chairman of the Tribunal shall be the authority competent to impose the other penalties mentioned in the Madras Civil Services (Classification, Control and Appeal) Rules.

(ii) The Chairman of the Tribunal shall be the appellate authority in respect of any order passed by the Secretary to the Tribunal and the State Government shall be the appellate authority in respect of any order passed by the Chairman of the Tribunal.

(iii) The authority which may suspend the holder of the post pending enquiry into grave charges against him shall be the Chairman of the Tribunal.

MADRAS MINISTERIAL SERVICE.

Clerks, Stenographers and Typists.

The rules hereby made shall be deemed to have come into force on the 2nd June 1951.

RULES.

1. The general and special rules applicable to the holders of permanent posts of upper division clerks, lower division clerks, steno-typists and typists in the Madras Ministerial Service shall respectively apply to the holders of the temporary posts of upper division clerks, lower division clerks, steno-typists and typists in the office of the Madras Sales Tax Appellate Tribunal subject to the modifications specified in the following rules.

2. The posts shall constitute temporary additions to the respective cadres in the Madras Ministerial Service.

3. The Secretary to the Tribunal shall be the appointing authority in respect of all the posts.

4. Promotion to the posts of upper division clerks shall be made only on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal.

5. Service as upper division clerks and lower division clerks in the office of the Madras Sales Tax Appellate Tribunal shall count towards the eight years' service in all including a minimum service of two years in the Commercial Taxes Department for the purpose of the annexure to the special rules for the Madras Commercial Taxes Subordinate Service.

6. The holders of the posts specified in column (1) below shall draw pay in the scale prescribed for the posts shown against them in column (2) :—

(1)	(2)
1 Upper division clerks ..	Upper division clerks in the Madras Ministerial Service working in 'A' class offices in Madras City.
2 Lower division clerks, steno-typists and typists.	Lower division clerks, steno-typists and typists in the Madras Ministerial Service.

7. (i) The Secretary to the Tribunal may impose any of the penalties mentioned in the Madras Civil Services (Classification, Control and Appeal) Rules on any member of the Ministerial staff in the office of the Madras Sales Tax Appellate Tribunal.

(ii) The Chairman of the Tribunal shall be the appellate authority against any order passed by the Secretary to the Tribunal and the State Government shall be the appellate authority against any order passed by the Chairman of the Tribunal.

(iii) The authority which may suspend any member of the Ministerial staff in the office of the Madras Sales Tax Appellate Tribunal pending enquiry into grave charges against him shall be the Secretary to the Tribunal.

MADRAS GENERAL SUBORDINATE SERVICE.

Attenders.

The rules hereby made shall be deemed to have come into force on the 3rd September 1951.

RULES.

1. The general and special rules applicable to the holders of permanent posts of attenders in category 2 of Class XXVI of the Madras General Subordinate Service shall apply to the holders of the temporary posts of attenders in the office of the Madras Sales Tax Appellate Tribunal subject to the modifications specified in the following rules.

2. The posts of attenders shall constitute temporary additions to the cadre of attenders in category 2 of Class XXVI of the Madras General Subordinate Service.

3. The Secretary to the Tribunal shall be the appointing authority for the posts.

4. There shall be paid to a holder of the post of attender pay calculated in the time-scale of Rs. 24—1—35 per mensem.

5. (i) The Secretary to the Tribunal may impose any of the penalties mentioned in the Madras Civil Services (Classification, Control and Appeal) Rules on any attender in the office of the Madras Sales Tax Appellate Tribunal.

(ii) The Chairman of the Tribunal shall be the appellate authority against any order passed by the Secretary to the Tribunal.

(iii) The authority which may suspend any attender in the office of the Madras Sales Tax Appellate Tribunal pending enquiry into grave charges against him shall be the Secretary to the Tribunal.

MADRAS LAST GRADE SERVICE.

Duffadar and peons.

The rules hereby made shall be deemed to have come into force on the 1st June 1951.

RULES.

1. The general and special rules applicable to the holders of permanent posts of duffadars and peons in the Madras Last Grade Service shall apply to the holders of the temporary posts of duffadar and peons in the office of the Madras Sales Tax Appellate Tribunal subject to the modifications specified in the following rules.

2. The posts of duffadar and peons shall constitute temporary additions to the cadre of duffadars and peons respectively in the Madras Last Grade Service.

3. The Secretary to the Tribunal shall be the authority competent to make appointments and promotions in respect of the above posts.

4. Promotion to the post of duffadar shall be made only on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal.

5. A holder of the post of duffadar or peon shall draw pay in the scale prescribed for duffadar or peon as the case may be in the Madras Last Grade Service.

6. (i) The Secretary to the Tribunal may impose any of the penalties mentioned in the Madras Civil Services (Classification, Control and Appeal) Rules on any of the duffadars and peons in the office of the Madras Sales Tax Appellate Tribunal.

(ii) The Chairman of the Tribunal shall be the appellate authority against any order passed by the Secretary to the Tribunal.

(iii) The authority which may suspend a holder of any of the posts pending enquiry into grave charges against him shall be the Secretary to the Tribunal.